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SOCIAL DEVELOPMENT

Progress made in the implementation of Economic and Social Council resolution 1992/22

Report of the Secretary-General

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INTRODUCTION

1. The Economic and Social Council, in resolution 1992/22 (sect. VII, para. 4), requested the Secretary-General to report to it, at its substantive session of 1993, through the Commission on Crime Prevention and Criminal Justice, on the progress made in the implementation of the various provisions of the resolution. The present report has been prepared in response to that request.

2. The report briefly highlights the initial steps taken to follow up the resolutions and decisions of the Commission on Crime Prevention and Criminal Justice adopted at its first session and complements the other reports on specific issues that are also before the Commission.

I. ACTION BY THE ECONOMIC AND SOCIAL COUNCIL

3. At its substantive session of 1992, the Economic and Social Council considered the report of the Commission on Crime Prevention and Criminal Justice on its first session. 1/ On the recommendation of the Commission, the Council adopted resolutions 1992/22 on the implementation of General Assembly resolution 46/152 concerning operational activities and coordination in the field of crime prevention and criminal justice, 1992/23 on organized crime and 1992/24 on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, as well as decisions 1992/274 on the agenda for the second session of the Commission and 1992/275 concerning organizational matters.

4. Delegations welcomed the approval by the General Assembly, in resolution 46/152, of the Statement of Principles and Programme of Action of the United Nations crime prevention and criminal justice programmes and supported the Commission's emphasis on strengthening operational activities and technical cooperation at the national, regional and international levels.

II. ACTION BY THE GENERAL ASSEMBLY

5. The General Assembly, at its forty-seventh session, adopted resolutions 47/91 on crime prevention and criminal justice, in which it welcomed the establishment of the Commission on Crime Prevention and Criminal Justice and the results of its first session, and recognized that the United Nations crime prevention and criminal justice programme had a special contribution to make in a world seeking to surmount serious problems of violence and crime; 47/87 on international cooperation in combating organized crime, in which it expressed alarm at the rapid growth and geographical expansion of organized crime and called for more effective collaborative action against it; and 47/89 on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders.

6. Action taken by the General Assembly on resources for the programme is dealt with in section IV below.

III. ESTABLISHMENT OF A SUBPROGRAMME ON OPERATIONAL ACTIVITIES, PLANNING AND OVERALL COORDINATION

7. On the recommendation of the Commission on Crime Prevention and Criminal Justice at its first session, the Economic and Social Council, in resolution 1992/22 (sect. II), took note of the proposed revisions to programme 29 of the medium-term plan for the period 1992-1997, which reflected the programmatic changes resulting from the most relevant resolutions of the General Assembly, as well as the conclusions and recommendations of the Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme, and recommended the establishment, within programme 29, of a subprogramme on operational activities, planning and overall coordination, in response to paragraph 5 of General Assembly resolution 46/152 and the Statement of Principles and Programme of Action annexed to the resolution. The General Assembly, in resolution 47/214, inter alia, adopted the revisions to programme 29 of the medium-term plan, as modified by the Committee for Programme and Coordination at its thirty-second session.

8. The new subprogramme is designed to increase the possibilities for practical assistance to States, with an emphasis on upgrading their capacity to deal with crime and ensure justice. Existing methods of international cooperation will be reviewed and operational activities expanded, integrated and coordinated so as to improve overall planning, implementation and evaluation of future programme activities.

9. Major emphasis is being placed on the formulation, implementation and evaluation of crime prevention and criminal justice technical cooperation projects. Emphasis is also being placed on training and other forms of education and the development of the necessary materials, including manuals and curricula. Collaboration with academic institutions and other relevant entities is being enhanced. Advisory services and operational activities will be expanded and new sources of funding identified by maintaining direct contacts with Governments, the United Nations Development Programme (UNDP), as well as other funding agencies and the private sector. The work of the interregional and regional institutes is being integrated into the programme. Overall coordination of programme activities will be exercised by the Secretariat in order to avoid duplication of effort and a disparity of approaches both within the programme and within the United Nations system. Substantive input on matters related to crime prevention and criminal justice can be provided to United Nations peace-keeping and peace-building operations, as well as the training required in the context of these operations.

10. In accordance with Economic and Social Council resolution 1992/22 (sect. VII, para. 2), the Commission has before it a report of the Secretary-General on the operationalization of the United Nations crime prevention and criminal justice programme (E/CN.15/1993/5).

IV. ADMINISTRATIVE CHANGES IN THE CRIME PREVENTION AND CRIMINAL JUSTICE BRANCH TO GIVE EFFECT TO THE DECISIONS OF THE COMMISSION

11. The General Assembly, in resolution 46/152 and in the Statement of Principles and Programme of Action, annexed thereto, called for a practical orientation of the crime prevention and criminal justice programme. The Assembly, the Economic and Social Council and the Commission on Crime Prevention and Criminal Justice all recognized - as had the Ministerial Meeting on the Creation of an Effective International Crime and Justice Programme (Versailles, November 1991) - the inadequacy of the resources devoted to the programme. The problem was exacerbated by the more demanding tasks entrusted to the new programme. The General Assembly, in paragraph 4 of the resolution, requested the Secretary-General to give a high level of priority to the programme within the United Nations framework and, in paragraph 7 of the resolution and paragraph 32 of the annex, to take the necessary action within the overall existing United Nations resources, including upgrading the Crime Prevention and Criminal Justice Branch to a division, to be effected as soon as possible. At the time of the adoption of resolution 46/152, the General Assembly had before it a statement of programme budget implications indicating, inter alia, that revised estimates to reflect the expansion of activities would be prepared for approval by the General Assembly at its forty-seventh session.

12. In considering this matter at the first session of the Commission, many speakers saw the United Nations inadequate institutional capacity in the area of crime prevention and criminal justice as a serious hindrance to programme performance. There was consensus that the Secretariat's programme and structure had to be strengthened in order to support and facilitate the Commission's work. The restructuring, redefinition and reinforcement of the Crime Prevention and Criminal Justice Branch were seen as indispensable to more effective international cooperation in this field. Ways had to be found to enable the Branch to discharge its functions and tasks effectively vis-a-vis the Commission and the international community. It was emphasized that the Secretariat should be afforded an appropriate status, recognition and visibility within United Nations system.

13. The Economic and Social Council, in resolution 1992/22 (sect. VI, para. 5), accorded high priority to the crime prevention and criminal justice programme and requested an appropriate share of the overall resources of the United Nations for the programme. In this connection, the General Assembly, in resolution 47/219, section IX, approved the revised estimates for the biennium 1992-1993 (A/C.5/47/40). The expanded programme, to be initiated in 1993 was to focus on those areas that would require immediate attention in order to build the institutional capacity and hence establish a solid foundation for launching the activities recommended by the General Assembly.

14. The General Assembly, in resolution 47/91, having recognized the need for an appropriate Secretariat support structure, capable of performing the new functions mandated by the General Assembly in resolution 46/152, and the

Economic and Social Council in resolution 1992/22, requested the Secretary-General to provide from existing resources adequate funds to build and maintain the institutional capacity of the United Nations crime prevention and criminal justice programme to respond to requests of Member States for assistance. The Assembly also requested the Secretary-General, as a matter of urgency, to take all measures necessary to effect the upgrading of the Crime Prevention and Criminal Justice Branch into a division as recommended in and in accordance with resolution 46/152.

15. At this stage, the Crime Prevention and Criminal Justice Branch is being strengthened with effect from 1 January 1993 through redeployment of three Professional posts from other sections of the programme budget where vacant posts were identified for 1993. In order to assist in the overall planning, coordinating, monitoring and evaluation of the technical cooperation component of the programme and to undertake assessments of the basic needs of Member States in crime prevention and criminal justice as part of the expanded operational activities, one P-4 post was provided. For the development of coordinated training programmes on the priority themes recommended by the Economic and Social Council, an additional P-4 post was provided. One P-3 post was also made available for the development, maintenance and operation of additional databases not only for use by the Branch in its research and analytical work in the priority areas, but also for exchange and dissemination of information among Member States and intergovernmental and non-governmental organizations, as part of the clearing-house functions of the Branch. The temporary redeployment of the three posts is strictly for 1993. The preparation of the programme budget for the next biennium will provide an opportunity to review thoroughly the overall post requirements in the crime prevention and criminal justice programme. The upgrading of the Branch into a Division will be given further consideration in the context of the ongoing review of the economic and social sectors of the United Nations.

16. In the meantime, some structural changes were made in the crime prevention and criminal justice programme to give immediate effect to the spirit of the decisions and directives of the Commission. The Branch was functionally reconstituted in four teams, each focusing on one or more areas identified as priorities by the Commission. The first, dealing with operations, coordination and evaluation, is related to the new subprogramme on operational activities and includes the development, management, conduct, facilitation and evaluation of training activities, including curricula, courses, and workshops, advisory services and the coordination of the United Nations institutes and other services to Member States. The other three teams are working in areas highlighted by the Commission: crime prevention and criminal justice statistics and information; crime prevention and the administration of justice; and transnational crime, including organized, economic and environmental criminality and money laundering.

17. These changes in the structure of the Branch do not, however, address the acknowledged shortage of resources. They seek to ensure that the activities of the Branch are reoriented in accordance with the wishes of the Commission. If the new programme is to fulfil the goals set by ministers and the General Assembly and to meet the needs of Member States, the Secretariat support structure will need to be further strengthened.

V. OPERATIONAL ACTIVITIES IN THE PRIORITY AREAS

18. Although the new subprogramme on operational activities was approved by the General Assembly only in December 1992, and the necessary resources are not yet forthcoming, the Secretariat took immediate steps after the first session of the Commission on Crime Prevention and Criminal Justice to intensify technical assistance notwithstanding its limited resources. These steps were guided by the priorities set by the Commission. The Crime Prevention and Criminal Justice Branch, in collaboration with relevant United Nations entities and institutes, intergovernmental and non-governmental organizations and several Governments, organized or contributed to, two projects and 15 international meetings and conferences, and participated in nine training courses and seminars.

A. Transnational crime, especially organized, economic and environmental criminality

19. The assistance that can be provided to interested States or groups of States and ways of promoting concerted action are illustrated by the case of countries members of the Economic Community of West African States (ECOWAS). This case also shows the scope of United Nations crime prevention and criminal justice instruments in fostering subregional and broader international cooperation. The Crime Prevention and Criminal Justice Branch assisted ECOWAS, at its request, in formulating a draft convention, on the basis of the United Nations model treaties on mutual assistance and on transfer of proceedings in criminal matters. For this purpose, two working sessions with the ECOWAS representative were organized in Vienna. ECOWAS then convened two legal expert meetings to consider the draft text. The Convention was approved by the ECOWAS ministers of justice and adopted at the annual meeting of heads of Governments. Assistance has been requested for the formulation of a convention on extradition and for training courses to help apply the new instruments, which are now being developed in cooperation with the ECOWAS legal adviser.

20. In line with the priority attached to organized crime and the prevention of juvenile delinquency, a meeting on the instrumental use of children was organized jointly by the Government of Italy and the Crime Prevention and Criminal Justice Branch (Rome, 4-6 May 1992). A manual on the prevention and prosecution of computer crime is being developed with support from the Government of Canada. The Branch contributed to the Fifth International Anti-Corruption Conference (Amsterdam, March 1992) and participated in a conference on money-laundering organized by the Council of Europe (26-29 September 1992), which, among other things, considered ways of helping Central and Eastern European States to deal with that problem. Other relevant initiatives are mentioned in paragraphs 53-55 below.

21. The report of the Secretary-General on the impact of organized criminal activities on society at large (E/CN.15/1993/3) is before the Commission, in accordance with paragraph 2 of Economic and Social Council resolution 1992/23.

B. Crime prevention in urban areas, violent and juvenile criminality

22. Contributions were also made to a number of meetings in this priority area, including to the First Meeting of Latin American Mayors on Urban Security (Cordoba, Argentina, 31 August-2 September 1992). A manual for practitioners dealing with domestic violence was prepared with the support of the Helsinki Institute for Crime Prevention and Control (HEUNI) and the Government of Canada, with input from a meeting of experts, convened at the International Centre for Criminal Law Reform and Criminal Justice Policy, at Vancouver (22-25 March 1992). A manual on education for the prevention of victimization and a comprehensive manual on United Nations juvenile justice instruments, with commentaries, are also being prepared. Consultations have taken place with the organizers of the proposed International Centre for Crime Prevention in Montreal to determine possible associate status with the programme on the basis of cooperative activities within the Commission's priority themes.

C. Efficiency, fairness and improvement in the management and administration of criminal justice

23. The Crime Prevention and Criminal Justice Branch undertook a number of training activities in collaboration with other relevant entities. Initial steps have been taken with a view to developing a manual on prison education in cooperation with United Nations Educational, Scientific and Cultural Organization and the International Council for Adult Education.

24. As part of the effort to support criminal justice improvements in Central and Eastern Europe, assistance was provided to the International Conference and Exhibition on Criminal Investigations and Justice, organized by the Hungarian Association of Public Prosecutors, at Budapest, from 10 to 13 June 1992. Training initiatives in developing countries included participation as faculty in a seminar for prison officers from Caribbean countries, organized by Caribbean Rights in Kingston from 25 to 28 June 1992, and in a Conference on the Protection of Human Rights in Criminal Justice proceedings, for African Jurists, held in Siracusa, Italy on 19 and 20 June 1992. The Conference, organized by the International Institute of Higher Studies in the Criminal Sciences in collaboration with the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch, was attended by over 50 participants from 19 African States.

25. Officers of the Crime Prevention and Criminal Justice Branch also served as lecturers and resource persons for training courses sponsored by the Centre for Human Rights under the Human Rights Advisory Programme, such as the training course for the implementation of international instruments on human rights and the administration of justice for officials from English-speaking African countries, held at San Remo (9-12 March 1992) with the support of the Italian Government. Training courses on human rights in the administration of justice were prepared jointly with the Centre for Human Rights and offered to

law enforcement officials and military and prison personnel in Romania (19-23 October 1992) and Albania (2-6 November 1992). Similar courses for the Czech Republic and other States are also planned. The Branch and the Centre also held a training course for judges, prosecutors and lawyers in Romania (30 November-5 December 1992) in cooperation with the Romanian Institute of Human Rights. Collaboration was also extended to human rights fellowship holders, some of whom received part of their training in Vienna.

26. The Branch also participated in other cooperative initiatives, such as the International Comparative Seminar on the Problem of Dangerous and Long-term Prisoners, organized by the Institute of State and Law of the Czech Ministry of Justice, in Prague, from 8 to 11 April 1992.

27. Officers of the Branch also contributed to the Seminar on Fundamental Issues regarding the Criminal Justice System for a Nation in Transition from a Single Political Party System to a Multi-party System (Trenčín, Slovakia, 28 September-2 October 1992), organized by HEUNI in cooperation with the Law Institute of the Ministry of Justice of Slovakia and the Society for the Reform of Criminal Law (Canada).

28. A number of training materials were produced during the period under review. A Guide to Computerization of Information Systems in Criminal Justice 2/ was issued as a joint venture with the Statistical Office of the United Nations Secretariat and interested Governments (Canada, the Netherlands and the United Kingdom). An additional two-volume publication, the Computerization of Criminal Justice Systems, containing the papers presented at the demonstration workshop held during the Eighth Congress, was published by HEUNI (Publication Series No. 19-20). A handbook on pre-trial detention is being prepared in cooperation with the University of Minnesota and the Minnesota Advocates for Human Rights, and a study has been conducted as a basis for a handbook on assessment for release of prisoners serving life sentences, with the assistance of the Friends World Committee for Consultation.

29. The Branch has also assisted in peace-keeping operations designed to reinforce democracy and justice (see paras. 40-44 below).

30. The report of the Secretary-General on existing United Nations standards and norms in the field of crime prevention and criminal justice which serve as recommendations to Member States, is before the Commission, in accordance with Economic and Social Commission resolution 1992/22 (sect. VII, para. 3) (E/CN.15/1993/6).

D. Advisory services

31. During the period under consideration, the Interregional Adviser in Crime Prevention and Criminal Justice undertook a number of missions. Some of them were the direct result of requests formulated at the first session of the Commission.

32. In response to the appeal made by the Vice-Premier and Minister of Public Order of Albania, a joint United Nations Office at Vienna/United Nations International Drug Control Programme technical mission, led by the Interregional Adviser visited the country from 3 to 10 June 1992. The mission also included experts provided by the Governments of France and Italy. During its visit, the mission confirmed the urgent and massive need for the development of appropriate legislation, as well as for training and material equipment in all areas of crime prevention and criminal justice.

33. In view of the gravity of the situation, the mission in its report recommended prompt, large-scale, well-coordinated multilateral-bilateral assistance to Albania, including the appointment of a Special Representative of the Secretary-General. Among other functions, the Special Representative would (a) coordinate all types of assistance in the public order, legal/administrative infrastructure and justice sectors; (b) advise on the most urgent policy measures to be adopted; (c) promote the delivery and overview the implementation of all types of technical assistance in the legal and criminal justice field; and (d) maintain ongoing consultations with the Government of Albania, UNDP and various donor countries and multilateral regional agencies.

34. The mission also recommended that the Albanian Government establish a unified structure for technical-juridical support to the Ministries of Public Order and Justice, as a direct link to the Special Representative. It further recommended that an international group of experts be nominated by interested Governments and chosen from among specialists in constitutional law; criminal and procedural law; judicial administration and prosecution; correctional administration; police administration; drug abuse control; computerization and logistics matters.

35. It was recommended that interested Governments share the cost of the proposed programme, including the supply of equipment, taking into account the projects that would be formulated and implemented to meet the present and future needs in these areas.

36. After studying the report, the Government of Albania submitted a formal request to the United Nations requesting implementation, as soon as possible, of the various measures recommended by the mission. A prominent role for the United Nations Office at Vienna and the Crime Prevention and Criminal Justice Branch is envisaged in accordance with the request. Funding for this comprehensive technical assistance project is being sought from both multilateral and bilateral sources. Discussions with the Government of Albania are continuing.

37. Further advice was provided to Bolivia to follow up the implementation of measures to combat organized crime, especially illicit drug trafficking, and to strengthen legal reform and the penitentiary system. Training was designed to help upgrade the capabilities of prosecutors, judges and the police and to familiarize them with the new legislative instruments formulated as part of comprehensive legislative reform.

38. A mission was undertaken to Paraguay to finalize the various sectoral efforts aimed at improving present legislation and professional training, and to prepare the groundwork for requests for funding to multilateral agencies, such as the World Bank, in order to finance specific proposals. A subsequent visit was undertaken in order to report on crime prevention and criminal justice reform, human rights and development in the Latin American region. In Argentina, the Interregional Adviser provided advice on the implementation of a major World Bank project for legal and criminal justice reform, including a new public viva voce criminal procedure.

39. In Oman, the Interregional Adviser conducted a practical training programme for 40 officers of the Royal Omani Police Forces. It included the basic United Nations instruments in the administration of justice and advice concerning criminal justice statistics. A follow-up course on juvenile justice has been requested by the Government. The Interregional Adviser also visited Panama in order to assist in the drafting of international instruments on extradition and mutual legal assistance.

E. Assistance to peace-keeping operations for the reinforcement of democracy and justice

40. The growing role of the United Nations in this area resulted in several requests to provide assistance in crime prevention and criminal justice for peace-keeping operations. Officers of the Crime Prevention and Criminal Justice Branch contributed to such operations in several missions and related activities.

41. In cooperation with the Latin American Institute for the Prevention of Crime and the Treatment of Offenders, technical support was provided for a mission to El Salvador, the purpose of which was to assist the Government in creating, training, managing and deploying a civilian police force. A draft law for the new force was included among the recommendations of the mission. Those recommendations were taken into account in the peace agreement, and UNDP is currently funding a project to give effect to them.

42. The Chief of the Branch headed the civil administration of the province of Phnom Penh, Cambodia. He served as an interim Director of Public Security, providing professional expertise for the envisaged legal, public service and justice reforms in that country. During his service with the United Nations Transitional Authority in Cambodia, a new penal code and law of criminal procedure were formulated for submission to the constituent assembly (when elected) and a training programme was developed. Another member of the Branch and two consultants also participated in this project. A code of conduct for public officials and a code of conduct for law enforcement officials were prepared, together with detailed commentaries and training guidelines. Further training projects are envisaged.

43. The establishment, by the Security Council, of a commission on violations of international humanitarian law through crimes against civilians has led to renewed interest in establishing an international criminal court. The International Law Commission's progress towards the possible establishment of such a court, and the debate in the General Assembly on this subject, offer further possibilities of cooperation and input, as envisaged by the Commission on Crime Prevention and Criminal Justice.

44. A training module on United Nations norms and guidelines has been developed for use in pre-service and in-service training of United Nations peace-keeping personnel. It is to be incorporated in a training manual for peace-keeping personnel, and will be conducted as a joint project of the Branch and the Training Service of the Office of Human Resources Management of the Secretariat.

VI. CRIMINAL JUSTICE STATISTICS AND INFORMATION

45. The Economic and Social Council, in resolution 1992/22, acknowledged the importance of the United Nations surveys of crime trends, operations of criminal justice systems and crime prevention strategies and called for their continuation and improvement. Accordingly, the Secretariat issued a technical publication entitled Trends in Crime and Criminal Justice, 1970-1985, in the Context of Socio-Economic Change: Results of the Second United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies. 3/ Another publication, containing the results of the Third Survey is in press. In addition, the data from all the surveys covering 17 years (commencing with 1970) are available from the Crime Prevention and Criminal Justice Branch in a computer diskette format, free of charge. The questionnaire for the Fourth Survey, the last quinquennial survey of this kind, was sent to Member States in August 1992 and the replies are being received and electronically processed in the Crime Prevention and Criminal Justice Branch. In accordance with Economic and Social Council resolution 1992/22, the surveys will henceforth be conducted biennially, starting with the biennium 1993-1994.

46. An expert group meeting on the envisaged global report on crime and justice was convened by the United Nations Interregional Crime and Justice Research Institute (UNICRI) in Rome, on 25 and 26 June 1992 (see E/CN.15/1993/8/Add.1). The report, which is to be ready for the Ninth Congress, will be based on replies from Governments to the revised United Nations questionnaire, the results of victimization studies and other empirical data and research findings, including figures on the cost of crime and emerging trends. Forecasts in the short and medium term should facilitate pro-active planning. The Branch also participated in a conference on the results of victimization surveys conducted in 28 developing and developed countries, with the support of UNICRI and the Governments of Italy and the Netherlands (Rome, 18-20 November 1992).

47. The United Nations Bibliographical Information System (UNBIS) of the Dag Hammarskjöld Library has created new country profiles on crime and justice in an electronic format. The profiles will be periodically updated with the assistance of the United Nations crime prevention and criminal justice institutes. This should facilitate needs assessments as a basis for the determination of areas for practical aid and comparative analyses. This undertaking will require reinforcement of the available expertise and support staff.

48. The computerized United Nations Crime and Justice Information Network (UNCJIN), which provides substantive databases on crime-related issues and an electronic mail facility, has been in constant development. Pending the planned transfer of the management of UNCJIN services from the State University of New York at Albany, to the Branch, UNCJIN expanded its operational reach to more than 200 new members connected to it through the INTERNET electronic network, in addition to the more than 60 on the Telecommunications Cooperative Network. Further development of UNCJIN depends very much on the extent and kind of substantive support Member States wish to render, especially in view of the fact that present funding arrangements made with the Bureau of Justice Statistics of the United States Department of Justice may expire in 1993. A special demonstration of UNCJIN during the Commission's second session will illustrate its present operation and potential, as well as related needs.

VII. COLLABORATION AND COORDINATION

49. In resolution 1992/22, the Economic and Social Council recommended a number of activities to be undertaken by the Secretary-General, with a view to assisting the Commission in its coordination functions. These involve consultations with relevant entities and maximum utilization of their contributions. Such entities include specialized agencies, as well as intergovernmental and non-governmental organizations.

50. The Commission on Human Rights and the Commission on Narcotic Drugs have adopted resolutions inviting the Commission on Crime Prevention and Criminal Justice to cooperate closely with them. 4/ Preliminary proposals for closer cooperation with the Centre for Human Rights have been submitted to the preparatory inter-agency meeting for the World Conference on Human Rights, and discussions have been held with the officers concerned. An ongoing consultative mechanism has been established with the United Nations International Drug Control Programme involving regular meetings and the planning of joint activities, in order to maximize results from the use of limited resources and the need to avoid overlap. Several cooperative activities are being planned for 1993, the lead role to be taken by either the United Nations International Drug Control Programme or the Crime Prevention and Criminal Justice Branch, with the support of the other.

51. In resolution 1992/22 (sect. IV), the Economic and Social Council recommended that the Secretary-General undertake to coordinate and integrate the activities of the interregional, affiliated and associated institutes cooperating with the United Nations in the field of crime prevention and criminal justice. The annual coordination meetings, sponsored by the Arab Security Studies and Training Centre, continue to provide a unique opportunity for consultations among the institutes and the Secretariat, and for joint planning and the consolidation of efforts. Steps have been taken to increase coordination.

52. The International Scientific and Professional Advisory Council, established in September 1991 at the Centro Nazionale di Prevenzione e Difesa Sociale at Milan, with support from the Government of Italy, held its second session at Courmayeur, Italy from 18 to 20 September 1992. The Advisory Council has launched an ambitious programme of activities, including a series of international workshops on priority subjects, organized with assistance also from the Fondazione Internazionale su Diritto, Società e Economia, at Courmayeur. Several of the workshops dealt with the response to transnational crime.

53. An expert meeting on money laundering was convened at Courmayeur (23-24 March 1992) to highlight salient issues and plan the programme for a larger conference to be held in 1993. This will take the form of a major interregional workshop on money-laundering. It will be organized by the Crime Prevention and Criminal Justice Branch in conjunction with the International Scientific and Professional Advisory Council and with the support of the United Nations International Drug Control Programme. It is proposed to involve all the regional institutes in the preparations for and conduct of this workshop. A meeting of government representatives on the protection of artistic property and cultural patrimony (Courmayeur, 25-27 June 1992) adopted comprehensive recommendations. A meeting on criminal law reform and criminal justice policy (Courmayeur, 21-22 September 1992) was followed by an interorganizational colloquium to prepare for the criminal justice topic of the Ninth Congress.

54. A workshop on victim protection and a meeting of the Advisory Council's committee on information, which will, among other things, explore ways of strengthening UNCJIN and the World Criminal Justice Library, are scheduled to be held early in 1993. The Advisory Council secretariat has received an encouraging response to its resource questionnaire. The replies are being collated and will permit the establishment of a comprehensive database on programmes and activities of the various organizations, especially in priority areas. This information has also been used to supplement the Secretariat survey on this subject.

55. The Branch also participated in three meetings on strategies against international and transnational crimes, including the possible establishment of an international criminal jurisdiction. The first meeting, sponsored by the Association of Penal Law and other organizations, was held from 2 to 5 December 1991 at the International Institute of Higher Studies in the

Criminal Penal Sciences, which celebrated its twentieth anniversary on 5 December. The second was a major conference on measures against organized crime, which was convened under the auspices of the Regional Assembly of Sicily and the International Scientific and Professional Advisory Council, in cooperation with the Branch, and held at Palermo, Sicily from 10 to 12 December 1992. The conference, attended by members of the Government of Italy, as well as representatives of intergovernmental organizations, representatives of the United Nations Office at Vienna and distinguished experts, commemorated the victims of organized crime, including the leader of the Italian delegation to the first session of the Commission on Crime Prevention and Criminal Justice, and called for intensified national and international efforts. The third meeting, held at the International Centre for Criminal Justice Policy and Criminal Law Reform in Vancouver, Canada in March 1993, also considered the question of an international criminal court to deal with grave breaches of humanitarian law, which would go largely unpunished in the absence of such a court.

56. The national correspondents with the United Nations now number over 350 in some 135 countries. The Secretariat has kept them regularly apprised of developments, but their contributions have been uneven. Governments are urged, where possible, to include national correspondents in their delegations. A roster of experts, including national correspondents, members of the International Scientific and Professional Advisory Council and other specialists, is being compiled, as requested by the Commission.

57. The Commission has before it reports prepared in accordance with Economic and Social Council resolution 1992/22: one concerning the survey of activities in the field of crime prevention and criminal justice carried out within the United Nations system and by relevant intergovernmental and non-governmental organizations (E/CN.15/1993/2); and another on the activities of the United Nations Interregional Crime and Justice Research Institute and the regional and associated institutes (E/CN.15/1993/8).

VIII. CREATION OF A MECHANISM, SUCH AS A FOUNDATION, TO MOBILIZE HUMAN, FINANCIAL AND OTHER RESOURCES TO FURTHER TECHNICAL COOPERATION

58. The question of the possible establishment, under United Nations auspices, of a world foundation on crime control and assistance to victims was considered both by the United Nations Committee on Crime Prevention and Control at its final session and by the Eighth Congress.

59. The Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme, in resolution 1, requested the Commission on Crime Prevention and Criminal Justice to include in its agenda the question of employing effective mechanisms to facilitate technical cooperation, including utilization of United Nations institutes, United Nations-affiliated institutes or other mechanisms which could be, inter alia, a foundation (A/46/703 and Corr.1, sect. II.B).

60. Several informal meetings concerning a foundation were held during the first session of the Commission. One delegation circulated a non-paper outlining the purpose and possible profile of such an institution. On the recommendation of the Commission, the Economic and Social Council adopted resolution 1922/22, in which it requested the Secretary-General, pursuant to the recommendations of the Ministerial Meeting on the Creation of an Effective Crime Prevention and Criminal Justice Programme, to initiate the necessary consultations for the preparation of a report, to be considered by the Commission at its second session, setting out options and recommendations for the creation of an appropriate mechanism, such as a foundation, to mobilize human, financial and other resources to further technical cooperation (sect. I, para. 4).

61. At the time of the preparation of the present report, consultations could not be undertaken as planned. One delegation intends to submit to the Secretariat a document on a possible project, which will be circulated to Member States and regional and interregional institutes for comments and suggestions. Because of delays in this process, however, information cannot be provided at this stage. A paper summarizing any responses received will be submitted to the Commission at its second session.

IX. DESIRABILITY OF A CONVENTION OR OTHER INSTRUMENT ON INTERNATIONAL COOPERATION IN CRIME PREVENTION AND CRIMINAL JUSTICE

62. In response to a recommendation made by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, the General Assembly, in resolution 45/108, invited Member States to convene a ministerial meeting to consider, inter alia, the possible need for a convention or other international instrument to develop the content, structure and dynamics of the crime prevention and criminal justice programme, including mechanisms for setting priorities, securing the implementation of the programme and monitoring the results achieved. The Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme entrusted the Commission on Crime Prevention and Criminal Justice with the task of deciding on the most appropriate course of action regarding such a convention.

63. At its first session, the Commission, having noted the various points of view expressed in this connection, decided to consult the Governments of States Members of the United Nations on the desirability of a convention or any other instrument on international cooperation in crime prevention and criminal justice (decision 1/102). 5/ In order to implement this decision, the Secretariat invited Governments to express their views on this matter, and forwarded to them all relevant material and information.

64. As at the end of January 1992, replies had been received from 15 States. Three of them were positive. Twelve Governments did not consider that a

convention was a priority concern at present or rejected it in principle. The majority of views expressed suggest that the resources required could be better used in meeting the needs of Member States in the crime prevention and criminal justice area.

X. NINTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

65. The General Assembly, in resolution 46/152, endorsed the recommendations on the role and functions of the United Nations congresses on the prevention of crime and the treatment of offenders, made by the Ministerial Meeting. The Commission on Crime Prevention and Criminal Justice, at its first session, considered the preparations for the Ninth Congress and identified four possible topics for inclusion in its provisional agenda: (1) international cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme; (2) action against national and transnational economic, organized, and environmental crime: national experiences and international cooperation; (3) criminal justice systems: management and improvement of police, prosecution, courts and corrections; and (4) crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives.

66. The Economic and Social Council, in resolution 1992/24, requested the Commission to finalize the provisional agenda for the Congress at its second session and to make its recommendations to the Council, taking into account, inter alia, the fact that the agenda should contain a limited number of topics selected in accordance with the priorities set by the Commission. The holding of action-oriented research and demonstration workshops as part of the programme for the Ninth Congress and ancillary meetings were also to be taken into account.

67. As requested by the Council, also in resolution 1992/24, the Secretariat has prepared for the Commission's consideration a discussion guide, including proposals for the workshops, as well as draft rules of procedure for the Congress, taking into account the new format of the congresses. The Commission also has before it the report of the Secretary-General on progress made in the preparations for the Ninth Congress, which includes the proposed time-frame for the Congress, projected scheduling of the regional preparatory meetings and summaries of draft concept papers for workshops (E/CN.15/1993/7).

XI. CONCLUSIONS

68. In spite of the efforts made in the implementation of the new United Nations crime prevention and criminal justice programme, too short a time has elapsed since the first session of the Commission to be able to provide an

actual "balance sheet". The programme has been faced with the difficult task of responding to the new mandates under continued resource constraints, which have hampered the scope of the work.

69. The decisions taken by the General Assembly at its forty-sixth and forty-seventh sessions are an important step towards the realization of the new United Nations policy directives in this field. However, it is recognized that the modest additional resources to become available are not commensurate with the requirements of the programme and the needs of the Branch. They are to be reviewed in the context of both the preparation of the programme budget for the biennium 1994-1995 and the restructuring of the economic and social sectors of the United Nations.

70. Governments with different legal and political traditions stated, at the Ministerial Meeting that they were prepared to join forces in order to combat crime if an appropriate international framework and practical possibilities were provided. The new United Nations crime prevention and criminal justice programme offers unique opportunities for such an effort, and could become a major mechanism for practical collaboration against common crime problems.

71. The success of the programme will depend on the political will of the international community to increase its support for technical cooperation and assistance activities for the benefit of all countries, particularly developing and smaller countries and those in transition to democracy. The momentous changes occurring in the world have created both new realities and new possibilities. The United Nations is currently undergoing a period of reappraisal of the effectiveness of its operations in various areas, geared to the new situations and requirements. It is an opportunity to be seized, particularly as the Organization nears the half-century mark. If it is to be translated into reality, the new, broader concept of security, requires appropriate contributions from different parts of the system. The timely review and updating of United Nations activities in this field has made them particularly relevant to this endeavour. Effective crime prevention and viable and humane criminal justice systems have an essential role to fulfil in a stable and equitable world order. A strengthened infrastructure and expanded United Nations programme in this area can help to meet this challenge. The Commission's creation was in itself the recognition of a pressing need. Under its guidance and with broader governmental and other support, much could be done to advance the postulated programme goals and the objectives of the Organization in a world which increasingly relies on it.

Notes

1/ Official Records of the Economic and Social Council, 1992, Supplement No. 10 (E/1992/30).

2/ Studies in Methods, Series F, No. 58 (United Nations publication, Sales No. E.92.XVII.6).

Notes (continued)

3/ United Nations publication, Sales No. E.92.IV.3.

4/ Commission on Human Rights resolution 1992/31 (see Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect.A) and Commission on Narcotic Drugs resolution 11 (XXXV) (ibid., Supplement No. 5 (E/1992/25), chap. XI, sect. A).

5/ Official Records of the Economic and Social Council, 1992, Supplement No. 10 (E/1992/30), chap. I, sect. D.